POL 14 VIETS

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(1343)

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PAGE 01 SAIGON 08581 151048Z

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ACTION EA 19

INFO NSCE 00,CIAE 00,SSO 00,DODE 00,USIE 00,NSAE 00,SP 02,SS 35,
GPM 03,SC 01,NSC 10,RSC 01,SAH 03,SAL 01,L 03,H 02,IO 21,P 04,
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P R 150630Z OCT 67
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC PRIORITY 8885
INFO AMEMBASSY BANGKOK 4555
AMEMBASSY VIENTIANE 2759
AMCONSUL DANANG 1112
CINCPAC

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CINCPAC FOR POLAD

SUBJECT: LOWER HOUSE ELECTIONS: CANDIDATES DISQUALIFIED

REF: A) SATE 51809
B) SAIGON 8567
C) SAIGON 6333
D) SAIGON 6167

1. REF A. PART 2 (C,D) REQUESTED INFORMATION ON CANDIDATES

PAGE 2 RUMJIR 8581/1 C O N F I D E N T I A L LIMITED OFFICIAL USE
WHO HAVING FILED FOR THE LOWER HOUSE AND BEEN DISQUALIFIED
BY LOCAL ELECTION COUNCILS, APPEALED THEIR CASES TO THE
CENTTRAL ELECTION COUNCIL.

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PAGE 02 SAIGON 08581 151048Z

(CEC).

2. THERE WERE 1650 PERSONS WHO INITIALLY FILED FOR THE LOWER HOUSE. AT SECOND AND "FINAL" POSTING OCTOBER 1, 1240 NAMES REMAINED. OF THOSE WHOSE NAMES WERE MISSING AT SECOND POSTING, SOME HAD WITHDRAWN AND SOME HAD BEEN CHALLENGED BY LOCAL ELECTION COUNCILS. SOME WERE CHALLENGED SUBSEQUENT TO THEIR EXAMINATION BY LOCAL ELECTION COUNCILS. A TOTAL OF 152 CASES OF ALL KINDS WERE REVIEWED BY THE CENTRAL ELECTION COUNCIL.

3. OF THE 152 CASES REVIEWED BY THE CEC, 54 WERE FOUND QUALIFIED TO RUN. OF THESE, 42 WERE PERSONS WHO HAD BEEN REJECTED BY LOCAL ELECTION COUNCILS AND WERE REINSTATED BY THE CEC; 5 WERE PERSONS WHOSE APPLICATIONS HAD BEEN ACCEPTED BY LOCAL COUNCILS, SUBSEQUENTLY CHALLENGED, AND THEN ACCEPTED BY THE CEC; AND 7 WERE PERSONS WHOSE APPLICATIONS HAD BEEN ACCEPTED BY THE LOCAL COUNCILS BUT WHOSE CASES MERITED REVIEW BY THE CEC BECAUSE OF "NEW FACTORS" (OTHERWISE UNEXPLAINED).

4. THERE WERE 98 OTHER CASES REVIEWED BY THE CEC, 96 OF

PAGE 3 RUMJIR 8581/1 C O N F I D E N T I A L LIMITED OFFICIAL USE
WHICH WERE REJECTED. OF THESE, 92 WERE OF PERSONS WHO HAD BEEN REJECTED
BY LOCAL COUNCILS AND APPEALED; 4 WERE PERSONS
ACCEPTED AT THE LOCAL LEVEL BUT ABOUT WHOM "NEW FACTORS" AROSE WHICH CAUSED THEMNEC TO REVIEW THEIR CASES AND DISQUALIFY THEM. THERE WERE 2 PERSONS WHOSE CASES WERE UNDER REVIEW BY THE CEC BECAUSE OF "NEW FACTORS" BUT WHO WITHDREW BEFORE A FINDING WAS REACHED.

5. WITH REGARD TO DISQUALIFICATION UNDER ARTICLE II, SECTION 9 OF THE LOWER HOUSE ELECTION LAW ("THOSE WHO HAVE DIRECTLY OR INDIRECTLY WORKED FOR COMMUNISM OR PRO-COMMUNIST NEUTRALISM OR WORKED IN THE INTERESTS OF COMMUNISM"), WE DO NOT KNOW PRECISELY HOW MANY CANDIDACIES WERE CHALLENGED AT THE LOCAL LEVEL ON THOSE GROUNDS. AS NOTED BELOW, 32 SUCH CASES CAME TO THE ATTENTION OF THE CEC; 13 OF THESE WERE REINSTATED AND 19

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PAGE 03 SAIGON 08581 151048Z

REJECTED. IT IS OUR IMPRESSION THAT NUMBER OF PEOPLE DISQUALIFIED UNDER THIS PROVISION HAS BEEN EXCEEDINGLY SMALL. IN 11 PROVINCES OF II CORPS, A SPOT CHECK REVEALS THAT OF 328 APPLICANTS ONLY 6 WERE CHALLENGED AT LOCAL LEVEL ON THESE GROUNDS (4 WERE EVENTUALLY ELIMINATED). AS REPORTED REFERENCES C AND D, NUMBER OF DISQUALIFICATIONS FOR ALL CAUSES IN

PAGE 4 RUMJIR 8581/1 C O N F I D E N T I A L LIMITED OFFICIAL USE
FIVE-CONSTITUENCY AREA OF SAIGON/GIA DINH WAS VERY SMALL. NONE OF 41 PERSONS ELIMINATED BY LOCAL ELECTION COUNCIL IN GIA DINH (WHERE 233 PERSONS FILED INITIALLY) WERE DISQUALIFIED ON ARTICLE 11 SECTION 9 GROUNDS, AND OF 302 PEOPLE INITIALLY FILING IN SAIGON, ONLY EIGHT WERE ELIMINATED ON THOSE GROUNDS. MNBAKEXTOGETHER, WE BELIEVE SAIGON/GIA DINH GIVE REPRESENTATIVE PICTURE, I.E. OF 535 INITIAL APPLICATIONS, 11 PERCENT WERE CHALLENGED BY LOCAL ELECTION OUNCILS BUT LESS THAN TWO PERCENT ON ARTICLE 11 SECTION 9 GROUNDS.

6. THERE WERE 32 PERSONS WHOSE APPLICATIONS WERE CHALLENGED ACCORDING TO THE PROVISIONS OF THE LOWER HOUSE ELECTION LAW, ARTICLE 11, SECTION 9. THIRTEEN OF THESE PERSONS WERE REINSTATED AND 19 REJECTED. THEY ARE:

NGUYEN DAI BANG, HUE, APPEAL ACCEPTED;
NGUYEN KHAC THIEU, THUA THINE, REJECTED;
NGO VAN BANG, THUA THIEN, REJECTED;
HOANGSNGOC TANG, THUA THIEN, REJECTED;
CAO VAN CHUAN, THUA THIEN, REJECTED;
TON THAT QUYAH-NAM, THUA THIEN, REJECTED;
TRAN PHUOC THANH, THUA THIEN, ACCEPTED;
NGUYEN NGOCNNGHIA, THUA THINE, ACCEPTED;

PAGE 5 RUMJIR 8581/1 C O N F I D E N T I A L LIMITED OFFICIAL USE

NGUYEN DINH HIEN, QUANG NAM, ACCEPTED;
TRUONG DINH HAM AKA VU THUE, QUANG NEM, ACCEPTED;
TRAN DAI XA, QUANG NGAI, REJECTED;



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HUYNH VAN TRAN, BINH DINH, REJECTED;
NGUYEN HUOT, BINH DINH, REJECTED;
HUYAH THANG KIM, BINH DINH, ACCEPTED;
TRAN VAN LOI BINH DINH, ACCEPTED;
NGUYEN NHIEN, PHU YEN, REJECTED;
HUYAH DIEU, PHU YEN, ACCEPTED;
CAO VAN CHIEU, PHU YEN, ACCEPTED;
(THESE LATTER TWO HAD BEEN DENOUNCED BY NGUYEN NHIEN)

LAM BINH, SAIGON, REJECTED;
NGUYEN VAN HANH, SAIGON, REJECTED;
KHOANG TRONG VINH, SAIGON, REJECTED;
BUI VAN CHINH, SAIGON, REJECTED;
DAO V N LONG AKA DAO HUNG LONG, SAIGON
REJECTED;
HA THE CUONG, SAIGON, REJECTED;
HOUKNG NGOC TUE, SAIGON, ACCEPTED;
HO HUU TUONG, SAIGON, ACCEPTED;
VU QUANG LAN, BINH HOA, REJECTED;


TRUONG HUU PHUOC, BA XUYEN, REJECTED;
THACH SANG, BA XUYEN, ACCEPTED;
NGUYEN DINH DUNG, KIEN PHONG, REJECTED;
VO VAN DAU, PHONG DINH, REJECTED;

7. THE CASES OF 57 CANDIDATES WHOSE APPLICATIONS HAD BEEN REJECTED BY LOCAL COUNCILS BECAUSE OF INCOMPLETE DOCUMENTATION WERE CONSIDERED BY THE CEC; 22 OF THESE WERE REINSTATED AND 35 REJECTED.

8. THE CASES OF 9 PERSONS WHO FILEDSLATE WERE CONSIDERED AND ALL REJECTED.

9. THERE WERE 9 PERSONS WHOSE APPLICATIONS HAD BEEN REJECTED LOCALLY ACCORDING TO PROVISIONS OF ARTICLE 11, SECTION 8 (THOYML PERSONS WOH HAVE BEEN DISMISSED FROM PUBLIC OFFICE FOR CAUSE); 7 CASES WERE REJECTED AND 2 CANDIDACIES APPROVED.

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PAGE 05 SAIGON 08181 151048Z

10. THE CASES OF 22 APPLICANTS WHOSE PAPERS HAD BEEN "INCORRECTLY FILED" WERE CONSIDERED BY THE CEC, 19 OF WHICH WERE REJECTED AND 3 ACCEPTED. BUNKER

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PAGE 01 SAIGON 08581 02 OF 02 151047Z

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GPM 03,SC 01,NSC 10,RSC 01,SAH 03,SAL 01,L 03,H 02,IO 21,P 04,
INR 07,AID 30,RSR 01,/143 W

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INFO AMEMBASSY BANGKOK 4556
AMEMBASSY VIENTIANE 2760
AMCONSUL DANANG 1113
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LIMITED OFFICIAL USE SECTION 2 OF 2 SAIGON 8581

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11. THE CASES OF SIX PERSONS WHOSE APPLICATIONS WERE REJECTED AT LOCAL LEVEL ACCORDING TO PROVISIONS OF ARTICLE II SECTION 2 OF LOWER HOUSE ELECTION LAW (THOSE WHO HAVE BEEN SENTENCED FOR VARIOUS RELATIVELY MINOR OFFENSES) WERE EXAMINED AND ALL WERE REJECTED.

12. THERE WERE 12 INSTANCES WHERE PERSONS WHOSE APPLICATIONS HAD BEEN APPROVED BY LOCAL ELCTION COUNCILS WERE SUBSEQUENTLY DENOUNCED FOR ONE REASON OR ANOTHER. FIVE WERE ACCEPTED AND

PAGE 2 RUMJIR 8581/2 C O N F I D E N T I A L LIMITED OFFICIAL USE
5 REJECTED. AS NOTED ABOVE, 2 PERSONS IN THIS CATEGORY WITH-

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IGON 08581 02 OF 02 181[illegible]Z

APPLICATIONS WHILE THE CEC WAS STILL REVIEWING

C CONSIDERED TWO CASES UNDER THE PROVISIONS OF ARTICLE
4 OF THE LAW (EXCLUDING ARVN OFFICERS WHO COMMAND
ATTALION OR LARGER SIZE OR WHO ARE COMMANDERS, DEPTY
OR ADMINISTRATIVE OFFICERS OF A MILITARY OR ADMINI-
CTOR). BOTH PERSONS WERE ACCEPTED.

SES OF TWO CANDIDATES, BOTH FROM KIEN HOA, WHO HAD
ED LOCALLY BECASUSE THEIR LEGAL STATUS WAS "WORTHY
N" WERE EXAMINED. BOTH APPLICIATIONS WERE ACCEPTED.

, THE CANDIDACY OF ONE PERSON DESIRING TO RUN FOR
CAMBODIAN SEAT IN CHUONG THIEN WAS REJECTED ON
HE COULD NOT PROVE HE WAS CAMBODIAN.

NOT EASY TO COMPARE CEC ATTITUDE DURING QUALIFICA-
S FOR UPPER HOUSE RACE WITH THAT DISPLAYED TO-
TES FOR THE LOWER HOUSE. IN UPPER HOUSE CONTEST,
OUR LIST UNDER ARTICLE 11, SECTION 9, BUT DID
WHICH CANDIDATES ON THESE LISTS WERE RESPONSIBLE
UALIFICATION. IT WAS GENERALLY UNDERSTOOD THAT

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'S UPPER HOUSE SLATE WAS BANNED BECAUSE OF HIS
-COMMUNIST NEUTRALIST ACTIVITIES"; THIS TIME
ION COUNCIL DISQUALIFIED HIM UNDER ARTICLE 11
HE APPEALED TO CEC AND WAS REINSTATED. ANOTHER
CASE IS THAT OF HO NGOC CU, SAIGON
MAN WHO WAS REJECTED AS CANDIDATE FOR CONSTI-
LY IN VINH LONG PROVINCE IN 1966, AND WHOSE LIST
HOSE REJECTED UNDER ARTICLE 11 SECTION 9 IN
ELECTION. CU'S BROTHER IS REPORTED TO BE A MEM-
VIETNAMESE DIPLOMATIC SERVICE. THIS TIME CU,
AIGON I, WAS NOT EVEN CHALLENGED.

CASE TO NOTE IS THAT OF HOANG NGOC TUE (SAIGON
NDIDACY FOR LOWER HOUSE WAS REJECTED UNDER ARTICLE

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11. SECTION 9 BY SAIGON ELECTION COUNCIL. TUE WAS SO DISCOURAGED THAT AT FIRST HE THOUGHT APPEAL WOULD BE USELESS. HE THOUGHT THAT THE LOCAL ELECTION COUNCIL HAD SIMPLY ACTED ON POLICE RECORD OF HSI PST ANTI-REGIME ACTIVITY, INCLUDING ANTI-DIEM ACTIVITY, ACCEPTING THAT RECORD AS SUFFICIENT TO DISQUALIFY HIM UNDER ARTICLE 11 SECTION 9. HE SAID HE BELIEVED CENTRAL ELECTION COUNCIL WOULD ALWAYS


UPHOLD LOCAL COUNCILS AS MATTER OF FACE. ON URGING OF FRIENDS, HOWEVER, TUE APPEALED AND TO HSI SURPRISE WAS REINSTATED. TUE EXPLAINED TO EMBOFF THAT CENTRAL ELECTION COUNCIL APPARENTLY NOW FEELS ITSELF MORE INDEPENDENT AND CONSIDERS EVIDENCE SUBMITTED BY POLIC IN SAME LIGHT AS OTHER EVIDENCE. 'GRADUALLY WE ARE EMERGING FROM THE SHADOW OF THE OLD REGIME. BUNKER



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